

237.US

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO.  
(If known, see 37 CFR 1.53)  
**09/555442**

INTERNATIONAL APPLICATION NO.  
**PCT/US98/26327**

INTERNATIONAL FILING DATE  
**10 December 1998 (10.12.98)**

PRIORITY DATE CLAIMED  
**12 December 1997 (12.12.97)**

TITLE OF INVENTION

**CYCLOHEXENE CARBOXYLATES AS NEURAMINIDASE INHIBITORS**

APPLICANT(S) FOR DO/EO/US

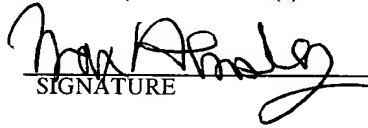
**KIM, Choung U.; LEW, Willard**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

| U.S. APPLICATION NO. (If known, see 37 CFR 1.53)   |   | INTERNATIONAL APPLICATION NO.<br>PCT/US98/26327 |            | ATTORNEY'S DOCKET NUMBER<br>237.US |   |
|--|---|---|------------|------------------------------------|---|
| 17.  | <input checked="" type="checkbox"/> The following fees are submitted: |   |            | CALCULATIONS                       | PTO<br>USE<br>ONLY  |
| <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b><br>Neither international preliminary examination fee (37 CFR 1.482)<br>nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO<br>and International Search Report not prepared by the EPO or JPO . . . . . |   | \$970.00  |            |                                    |   |
| International preliminary exam fee (37 CFR 1.482) not paid to<br>USPTO but International Search Report prepared by the EPO or JPO . . . .  |   | \$840.00  |            |                                    |   |
| International preliminary exam fee (37 CFR 1.482) not paid to USPTO<br>but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .   |   | \$690.00  |            |                                    |   |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .   |   | \$670.00  |            |                                    |   |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .   |   | \$96.00   |            |                                    |   |
| ENTER APPROPRIATE BASIC FEE AMOUNT =   |   |   |            | \$ 840.00                          |   |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>months from the earliest claimed priority date (37 CFR 1.492(e)).   |   |   |            | \$                                 |   |
| Claims   | Number Filed  | Number Extra                                    | Rate       |                                    |   |
| Total Claims   | 42 - 20 =   | 22  | X \$18.00  | \$ 396.00                          |   |
| Independent Claims   | 7 - 3 =   | 4   | X \$78.00  | \$ 312.00                          |   |
| Multiple dependent claims (if applicable)  |   |   | + \$270.00 | \$                                 |   |
| TOTAL OF ABOVE CALCULATIONS  |   |   |            | =                                  | \$ 708.00   |
| Reduction by 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed.<br>(Note 37 CFR 1.9, 1.27, 1.28).   |   |   |            | \$                                 |   |
| SUBTOTAL   |   |   |            | =                                  | \$  |
| Processing fee of \$130.00 for furnishing English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>months from the earliest claimed priority date (37 CFR 1.492(f)).  |   |   |            | \$                                 |   |
| TOTAL NATIONAL FEE   |   |   |            | =                                  | \$ 1,548.00   |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an<br>appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |   |   |            | \$                                 |   |
| TOTAL FEES ENCLOSED  |   |   |            | =                                  | \$ 1,548.00   |
|  |   |   |            | Amount to be:<br>refunded          | \$  |
|  |   |   |            | charged                            | \$  |
| a. <input type="checkbox"/> a check in the amount of _____ to cover the above fees is enclosed.  |   |   |            |                                    |   |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>07-1250</u> in the amount of <u>\$ 1,548.00</u> to cover the above fees.<br>A duplicate copy of this sheet is enclosed.   |   |   |            |                                    |   |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any<br>overpayment to Deposit Account No. <u>07-1250</u> . A duplicate copy of this sheet is enclosed.                     |   |   |            |                                    |   |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or<br>(b)) must be filed and granted to restore the application to pending status.   |   |   |            |                                    |   |
| SEND ALL CORRESPONDENCE TO:  |   |   |            |                                    |   |
| Max D. Hensley<br>Gilead Sciences, Inc.<br>333 Lakeside Drive<br>Foster City, CA 94404<br>Telephone: (650) 522-5878<br>Facsimile: (650) 522-5575   |   |   |            |                                    |   |
|  |   |   |            | SIGNATURE                          |  |
|  |   |   |            | NAME                               | Max D. Hensley  |
|  |   |   |            | 27,043                             |   |
|  |   |   |            | REGISTRATION NUMBER                |   |

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d PCT/PTO 31 MAY 2000

PATENT COOPERATION TREATY  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

In re U.S. NATIONAL APPLICATION of ) Agent's File Ref. 237.US  
Kim et al )  
Continuation of )  
International Application No. : PCT/US98/26327 )  
International Filing Date: 10 December 1998 )  
For: CYCLOHEXENE CARBOXYLATES AS )  
NEURAMINIDASE INHIBITORS )

CERTIFICATE OF MAILING BY EXPRESS MAIL

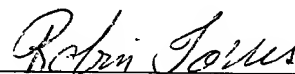
Assistant Commissioner  
for Patents  
Box PCT  
Washington, D.C. 20231

Dear Sir:

Express Mail Mailing Label No. EJ389398156US

Date of Deposit: May 31, 2000

I hereby certify that the attached Transmittal Letter and Combined Declaration For Patent Application And Power of Attorney are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.



Robin Torres

**09/555442**

PATENT APPLICATION SERIAL NO.

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
OFFICE RECORDS

06/13/2000 WCLAYBRO 00000073 071250 09555442

|           |           |
|-----------|-----------|
| 01 FC:970 | 840.00 CH |
| 02 FC:966 | 396.00 CH |
| 03 FC:964 | 312.00 CH |